

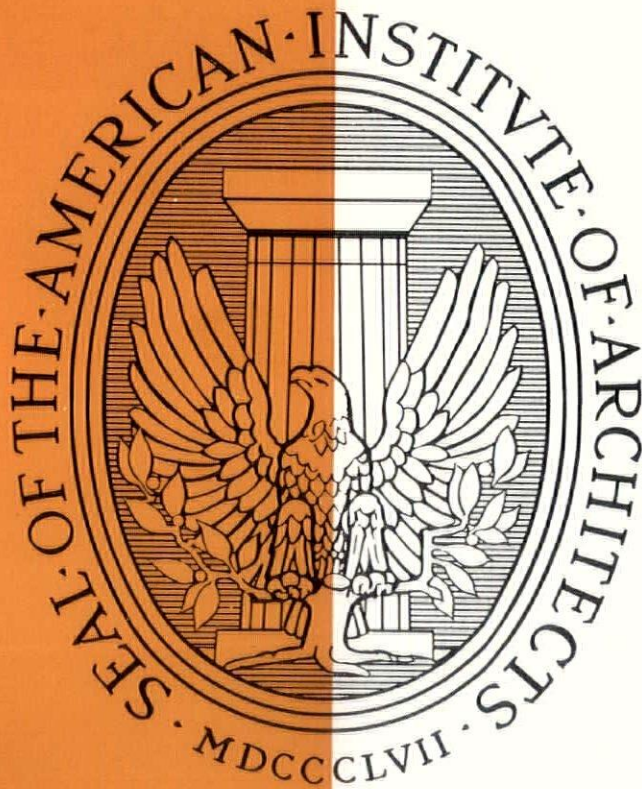
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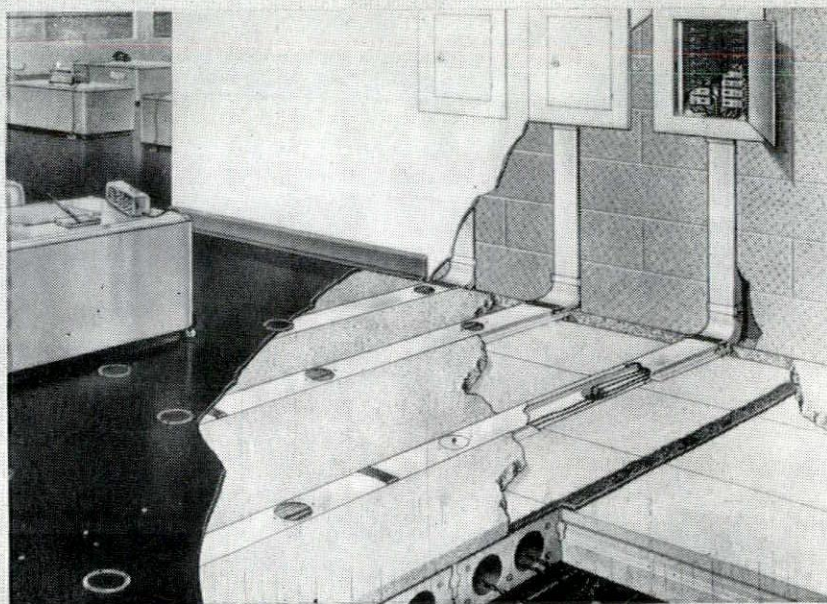
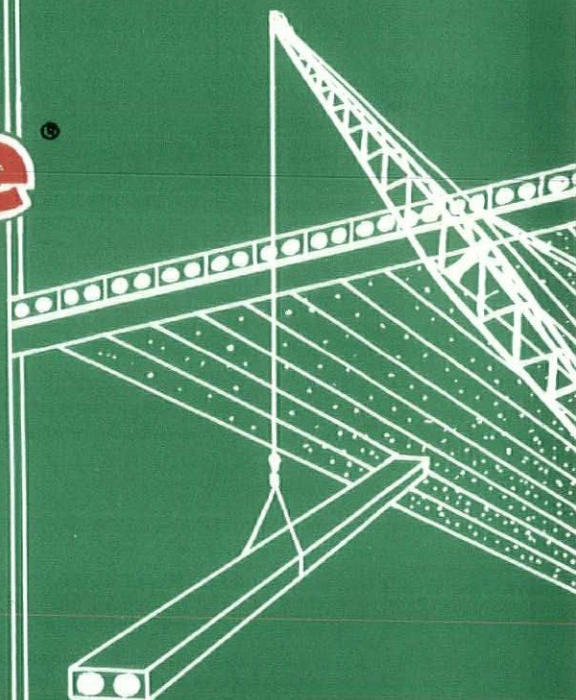
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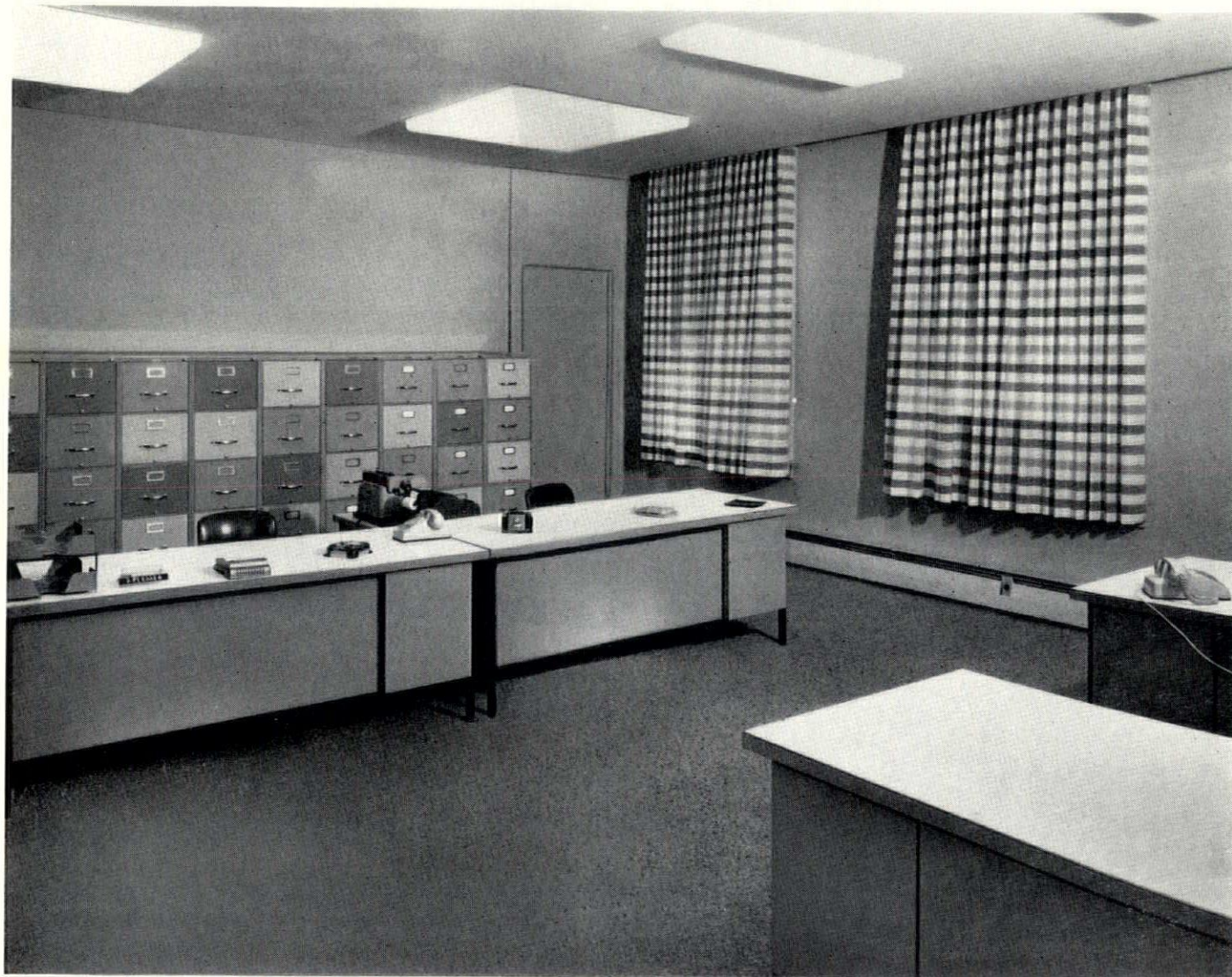


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Chapter Notes

TWO AIA MEMBERS have been appointed to the Task Force for Study on Administration of the State Building Construction Program and Space Utilization, a sub-committee of the Governor's Committee on Business Practice. They are: Joseph H. Flad, AIA, representing the Wisconsin Chapter, AIA; and Lloyd Knutson, AIA, representing Allis-Chalmers Manufacturing Company.

THE INSURANCE COMMITTEE plans to make an announcement in May concerning its year's study on hospital and surgical insurance for chapter members.

The BOARD OF DIRECTORS at its April meeting placed the Wisconsin Chapter on record in favor of Bill HR7123, and letters have gone to Wisconsin congressmen stating this position. The bill would amend section 162 of the Internal Revenue Code which permits tax deductions for "Ordinary and necessary" business expenses, by adding this short paragraph: "Expenses lawfully incurred in supporting or opposing or otherwise influencing legislation in the Congress or in a State legislature or in the legislative body of a county or other local governmental agencies or in any submission of proposed legislation to the voters, shall be allowed as proper deductions from gross income."

Discussing his bill in the House, Representative Hale Boggs (Louisiana) said, "The right of the people to petition the Congress of the United States is as old as the Constitution itself . . . to hamper by any means, insidious or unintentional, the open and candid expression of opinion by our people at the forums pro-

vided by the Constitution would undermine the democratic processes by which we remain free."

Boggs continued, "The economic system under which we live today is shaped by political action through legislation. A union member, a business owner, a stockholder, a customer, each in his or her own economic capacity has a vital interest in our activity as Members of Congress . . . Tax laws should not be utilized for penalizing any taxpayer who lawfully wishes to express his views on legislative problems."

SPEAKERS for the architectural profession include: Jack Kloppenburg on March 9 at Nicolet High School; Gene Wasserman at the Sheboygan Lions Club on March 15; and Murray Kinnich at Menomonee High School April 28.

WOMEN'S ARCHITECTURAL LEAGUE members in Milwaukee saw a color slide presentation by Chapter member Harry E. Patterson, Jr. at a seminar on April 6. The slides and comments were a comparison of Frank Lloyd Wright's Johnson Wax Research and Administration Center with other structures in the United States and Europe. Madison League members saw the films "Architecture, USA" and "What Is a House" at their April 11 meeting.

TWO NEW ARCHITECT IN TRAINING enrollees are: William P. Cotton, Jr., a Junior Associate member of the Chapter employed by the Milwaukee firm of Darby-Bogner and Associates; and Ronald A. Perner, employed by Charles Haeuser, Milwaukee.

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Wisconsin Chapter

American Institute of Architects

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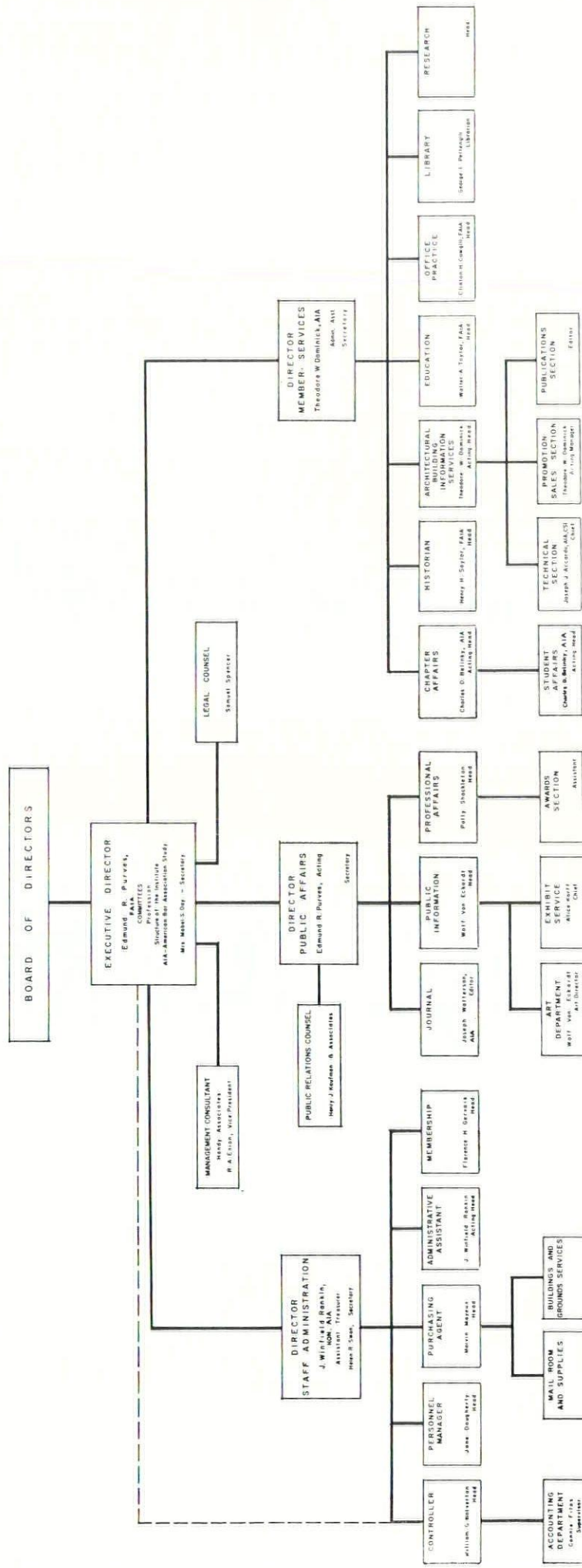
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| 2. Management | Each Division Director, (Director, Staff Administration, is Secretary) | 4. Rating |
| 3. Performance Appraisal..... | a. To appraise Division Directors, committee is composed of President, Secretary and Executive Director. | Each Division Director, Personnel Manager and Management Consultant. |
| | | 5. Job Evaluation..... |
| | | Each Division Director and Management Consultant. |

OCTAGON ODYSSEY

by Ruth Hill, Executive Secretary
Wisconsin Chapter, AIA

Those AIA and Wisconsin Chapter members who visit Washington, D. C. and have not become acquainted with the charming red brick estate on New York Avenue will do well to include the Octagon on their itinerary when in our nation's capital. The awe which encompasses the viewer upon entering the neatly landscaped grounds turns to amazement as he travels the labyrinth of halls in the addition which once was a coach house.

The White House and the Octagon are relatives, in a way. Both date from the beginnings of government in the national capital; the White House was started first but the Octagon was first completed. Both have served as the official residence of the President. Both have reached the age when circumspect face-lifting seemed advisable. Both have become so deeply ensconced in the affections of Washington that the seasoned citizen feels an almost personal pride of ownership and also of responsibility for their safekeeping.

My first visit to the headquarters of the AIA after five years of association with this organization came last month when I attended a two-day meeting of Chapter Executives there. Twenty-four men and women gleaned an array of information concerning the physical and intangible workings of this vast and powerful organization. They returned to their home chapters, as I did I am sure, with a broader understanding of the work and far-reaching effects of the AIA, and a bubbling enthusiasm for greater things to come.

On Monday morning, March 21, Edmund Purves, FAIA, Executive Director of the Institute, opened the session by tracing briefly the history of the organization. He explained the organization of the staff and previewed the future of the AIA which now has a membership of 13,000 architects and an operating budget in excess of \$1,200,000. Seventy persons comprise the staff of the Octagon.

The Institute has just completed a revamping of its administrative structure under the direction of a management consultant. The chart on the page opposite shows the breakdown of the revamped staff.

Throughout the morning of the first day of the meeting, various staff members spoke and explained the operation of their particular department.

Wolf Von Eckhardt, head of the Public Information Department, pointed out that while the budget for public relations is necessarily small for such a large organization (\$50,000 annually), much is accomplished. He stated that the AIA public relations program is a do-it-yourself program; that the bulk of the job of gaining good will is that of the Chapters; and that the AIA job is to advise the Chapters how to accomplish this. Mr. Von Eckhardt also observed that the Octagon's public relations staff works with national magazines

and TV networks to plan long-range programs and articles.

Internal relations are another job of this department. Practically every written thing produced for the Octagon is approved by the public relations staff, including the reviewing of documents.

It is the function of the public relations department to produce special documents to assist chapters as evidenced by two new kits: The Community Planning Kit which contains a series of reprints of articles from various sources on accomplishments in community planning; and the Speakers and Press Kit composed of articles and speeches outlined for use by Chapters.

The public relations coordinating committee under the guidance of this department, works with other national organizations, such as the National Association of Home Builders and the Producers' Council.

Mr. Von Eckardt concluded his remarks by re-emphasizing that the bulk of the public relations work rests on the Chapters' shoulders.

Robert R. Denny, Public Relations counsel for the AIA, described the work of the AIA in public relations as "creating a climate or umbrella under which local chapters can work more effectively." He cited many specific cases where this had been accomplished, particularly with the NAHB. The Institute has been trying to effect a liaison between the NAHB and thereby assist in improving home design. It currently is endeavoring to set up a program at the national level which will be available at local levels within the next year or two. In speaking of the public relations department, Mr. Denny stated, "Its main function is to get the professional story down to the grass roots level."

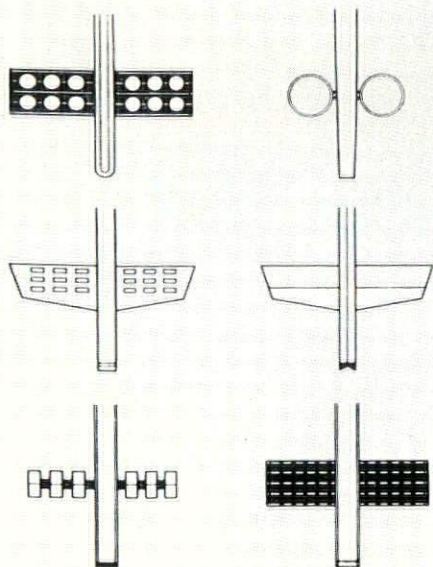
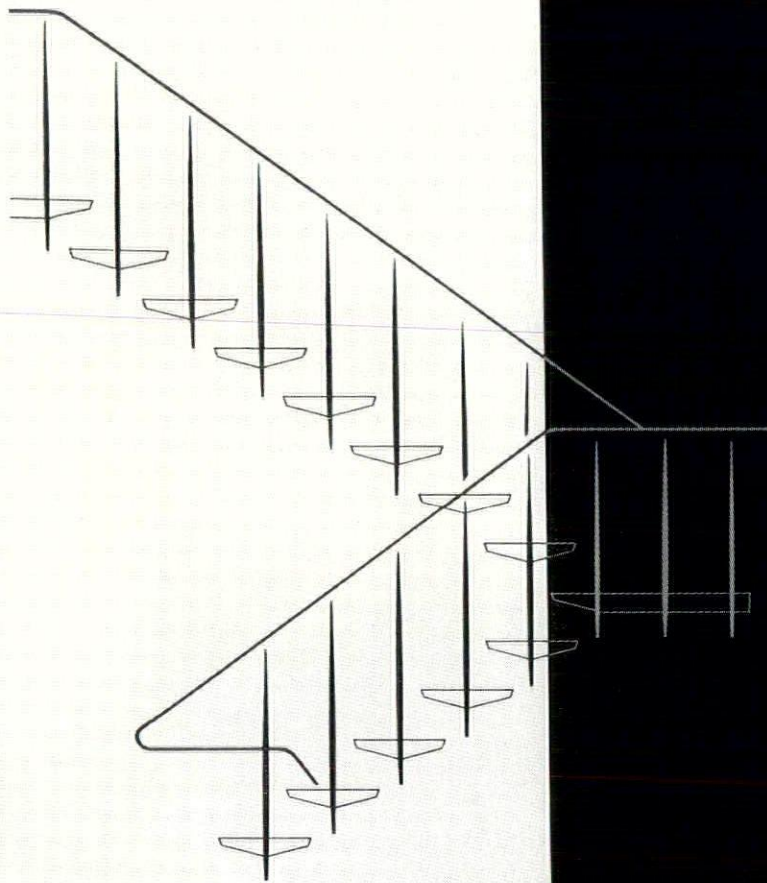
The public relations department of the AIA has conducted regional public relations workshops throughout the country. The Wisconsin Chapter is planning to hold such a workshop in the very near future with other Chapters in the North Central States Region.

Plans in the offing, Mr. Denny explained, include a film on community planning, a full-length motion picture dealing with architects and architecture, and a series of articles to be mailed with the AIA Memo on such topics as individual architects' problems in promoting themselves more, an insight into the client's position, and what the architect's role in the community work should be.

Mr. J. Winfield Rankin, Director of the Staff Administration Division, outlined the work of each of the three Institute divisions and their future plans. He stressed that members must support the AIA insurance program collectively to keep premiums to a minimum.

Theodore Dominick, Director of Member Services, reviewed the work on the Building Products Registry

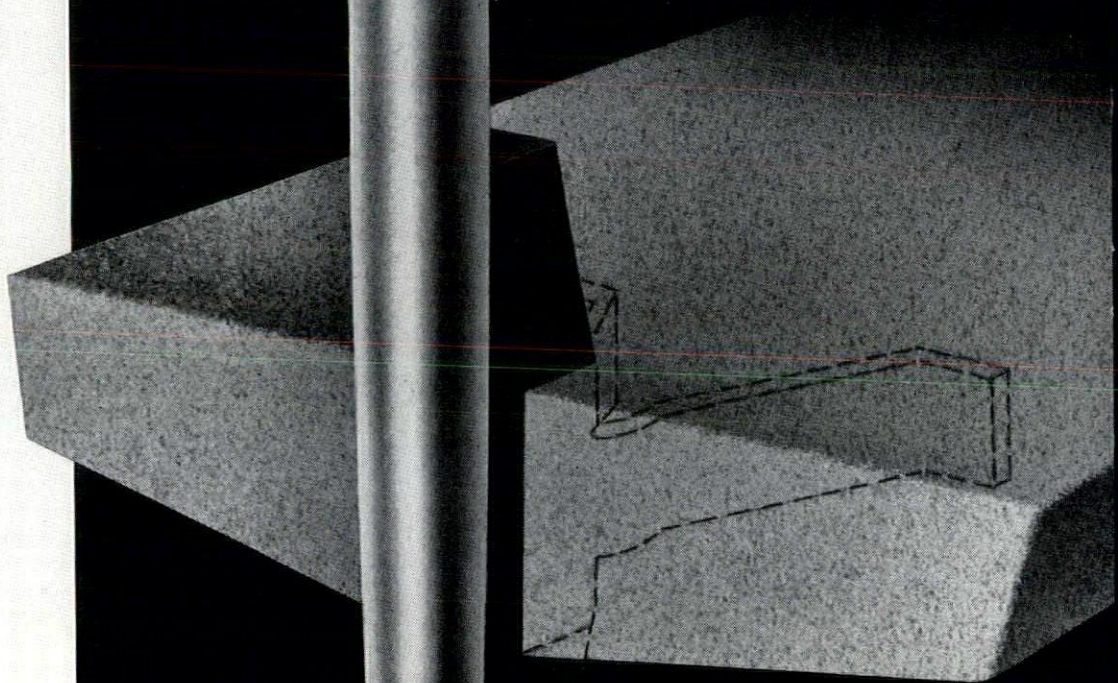
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LEGAL MISCELLANY

by Gerald J. Rice, Legal Counsel
Wisconsin Chapter, AIA

In recent years, the Wisconsin Supreme Court has decided a number of questions of interest to the architect. However, the most important questions for architects, namely, what is the extent of their liability under the Wisconsin Safe-Place Statute and whether such liability is limited by existing statutes of limitations, remain unanswered by any decision specifically relating to architects. A full discussion of such subject, and whether practicing architecture through a corporation modifies the architect's personal liability, will appear in an early issue of the Wisconsin Architect. In any event, every practicing architect should carry errors and omission insurance in sufficiently large amounts; for whether the architect is liable or not in a given case, the expense of legal defense alone warrants carrying the insurance.

Re: Association With Unregistered Designer

Of the following cases reported on in this issue, only one deals directly with architects. In *Kempf — vs. — Joint School District* (1959), 6 Wis. 2d 95, 94 N.W. 2d 172, a registered architect and an unregistered designer signed a contract to prepare plans and specifications for a school building. The unregistered designer negotiated the contract and received all payments made under the contract; and paid the architect for his "direction" in the preparation of plans and specifications and for placing his seal on the plans. The Wisconsin Supreme Court held that, although the two were not engaged in a continuing business as partners, the single association under the contract in question constituted a "firm" under Sub-section (7) of Section 101.31 Stats. which authorizes practice of architecture by a "firm, co-partnership, corporation or joint stock association" under the conditions set forth in such Sub-section. But the Court went on to say that such "firm" could not lawfully practice architecture because the registered architect did not own a majority of the capital interest in the firm. The Court also held that because the services were rendered unlawfully, the School District did not

have to pay for an unpaid balance of the fee charged, but could not recover the fees it had paid because it was known to the School District that the designer was unregistered, and hence the School District was "particeps criminis".

Re: Notice of Excavation

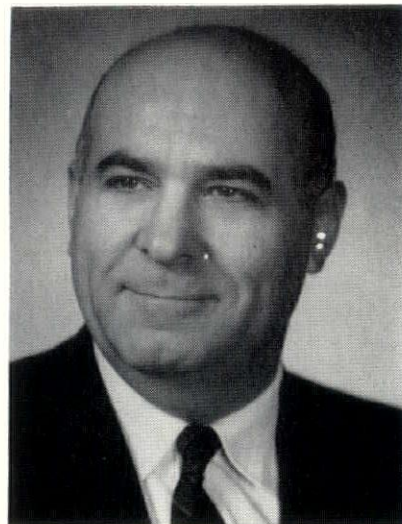
In *Drott Tractor Co. — vs. — Kehrein*, 275 Wis 320 (1957), our Wisconsin Supreme Court affirmed its earlier 1925 opinion (*Christensen — vs. — Mann*, 197 Wis. 567, 204 N.W. 499) in which it said, "In order that the owner of property who excavates his soil in close proximity to his neighbor's building may be immune from a claim for damages, the law also imposes upon him the duty of giving reasonable and timely notice to his neighbor, so that the latter may use such means as he may deem proper to protect his own structures, and a failure to give such notice, in the absence of knowledge on the part of the neighbor, would be negligence".

It will be noted that the owner of property has the duty to protect his own property if his neighbor excavates adjacent land. However, under the above rule he is entitled to fair notice and ample time to protect against such excavation. While an architect is not charged with such duty of giving notice, it is good practice to urge both the client owner and the excavating contractor to have their lawyers give ample notice by registered mail (receipt demanded) to the owners of land adjacent to that about to be excavated.

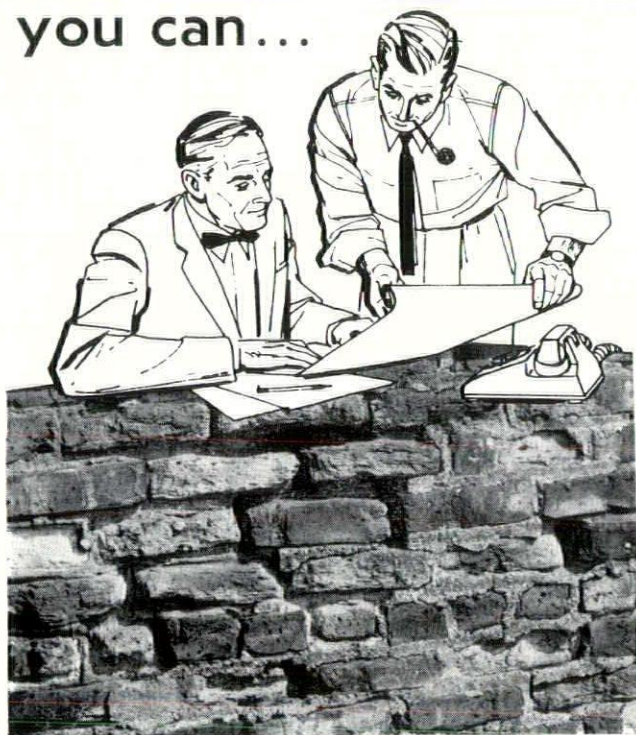
Re: Unforeseen Extras

In *Thomsen-Abbott Const. Co. — vs. — Wausau*, 9 Wis. 2d 225 (1959), the plaintiff contractor sought to recover from the defendant city for the extra costs of "dewatering" the building site made necessary by the concrete-footing plans so as to place most of the footings considerably below the ground water table.

The work in question was performed under A.I.A.
(continued on page 8)



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Legal

from page 7

General Conditions, including Article 15 which reads in part: "Should conditions encountered below the surface of the ground be at variance with the conditions indicated by the drawings and specifications, the contract sum shall be equitably adjusted upon claim by either party made within a reasonable time after the first observance of the conditions".

First, the Court held Article 15 to be a legal provision to include in a public contract, ruling that "changes made after the letting of a public contract, which alter the manner of construction but do not substantially change the character of the building or unreasonably increase its costs, and are made pursuant to a provision in the contract permitting such changes, legally may be made without pursuing the statutory steps required to be taken before the letting of the original contract".

However, the Court refused recovery for "dewatering". The Court pointed out that the contract in question also provided for the payment for additional concrete occasioned by the alteration of the foundation design due to local conditions at the unit price of \$74.00 per cubic yard; and that when the contractor had made its bid, it knew that the bottoms of the footings were six inches below the water-table level; so that when the architect on the job issued a change order lowering the footings, a different method of construction was not required.

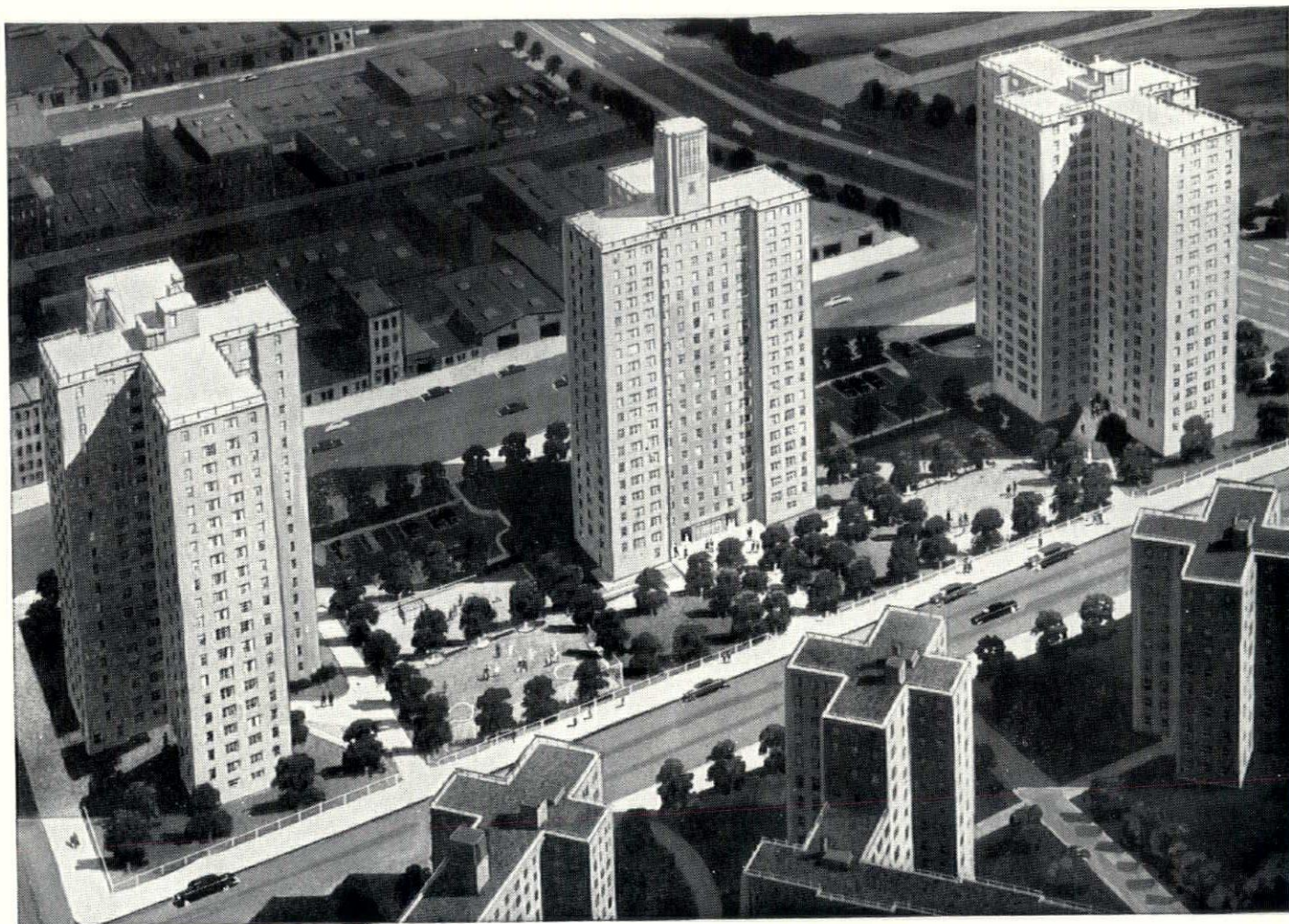
Hence, because a different method of construction was not required, the contractor was allowed to recover only for the cost of the additional concrete at the unit-price, but not for the cost of "dewatering".

Re: Approval of Building Inspector Does Not Excuse Violation of Building Code

In *Park Bldg. Corp. — vs. — Industrial Commission*, 9 Wis. 2d 78 (1960) the Wisconsin Supreme Court has ruled that the owner of a building which does not comply with the State Building Code is not to be relieved of a penalty or excused from compliance with the Code because the building was constructed with the acquiescence of an inspector of the Commission. The Court said, "Neither the Commission or any of its employees has any statutory power to waive such a violation".

Re: Unjust Enrichment With Building Materials

In *Kelley Lumber Co. — vs. — Woelfel*, 1 Wis. 2d 390 (1957), lumber was furnished to a carpenter contractor who constructed a residence on a lot owned jointly by the contractor and his wife, the Court found that the wife knew of such construction and assented thereto and accepted the lumber. When the property was sold the proceeds were deposited in a joint account. The contractor died and his wife acquired the account as surviving joint tenant. The Court held that, notwithstanding there was no express contract whereby the wife obligated herself, and notwithstanding the lumber company failed to claim a mechanics lien, it was entitled to recover from her on the basis of "quasi contract", since she should not be "unjustly enriched".



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Welcome Aboard . . .

The Wisconsin Chapter, AIA, welcomes the following who recently have been accepted or advanced in membership:

CHARLES H. HARPER, AIA, has advanced from Associate member. He was born in Milwaukee in 1927. He received his Bachelor of Architecture from Cornell in 1953 where he was employed by the College of Engineering during his last two years as instructor in Descriptive Geometry. Harper recently established his own architectural firm in Milwaukee. He practiced previously with Maynard W. Meyer and Associates and Eschweiler and Eschweiler. Harper has served with the United States Army.

LLOYD O. KREUGER, AIA, advanced from Associate member, was born June, 1921, in Grinnell, Iowa. He received his Bachelor of Architecture in 1959 from the University of Michigan. He has been employed by the Madison firm of Silberz, Purcell and Cuthbert since 1950. Krueger was a navigator with the United States Air Force and lists his hobbies as hunting, fishing, sports and painting. In 1959 he received a citation for his work as president of the Madison Sertoma Club.

RUFIN R. NACZINSKI, AIA, advanced from Associate member, was born in 1925 in Racine. He received his Bachelor of Science Degree in Architectural Engineering in 1950 from North Dakota State and has been with the Racine firm of Frank J. Hoffman since 1951. He also attended Middle Georgia College and the University of Wisconsin Extension in Racine. Naczinski served as an Air Force pilot in World War II and lists his hobbies as photography, sketching and golf.

STANLEY L. NERDRUM, AIA, a new Corporate member, was born in Milwaukee in 1904. He received his



Bachelor of Architecture degree from Columbia University in 1931. He was employed by the Madison firm of John J. Flad from 1948 to 1951 when he joined the Division of Architecture, State of Wisconsin, where he is still employed. He lists his hobbies as travel, gardening and curling.

JAMES G. NEU's photograph arrived after publication of the April, 1960 **WISCONSIN ARCHITECT** in which his biography appeared. This will introduce Junior Associate member James G. Neu, who has been draftsman and field superintendent with the South Milwaukee firm of Zarse Associates, Inc., since June, 1959.



FREDERIC T. NUGENT, AIA, advanced from Junior Associate member, was born in Freeport, Illinois in June, 1929. He received a Bachelor of Arts Degree from Amherst College, a Bachelor of Architecture, from Columbia University in 1955, and studied at Fontainebleau in the summer of 1953. He was selected as student delegate to the AIA national convention in Boston in 1954. He has been a partner with the Madison firm of Ames, Torkelson and Nugent since February, 1959. He lists his hobbies as sports cars, woodworking and travel.



DALE M. WIAR's biography appeared in the October, 1959 **WISCONSIN ARCHITECT**. He is a Junior Associate member and a transfer from the Toledo Chapter, AIA. He is employed by the firm of Zarse Associates, Inc., South Milwaukee.



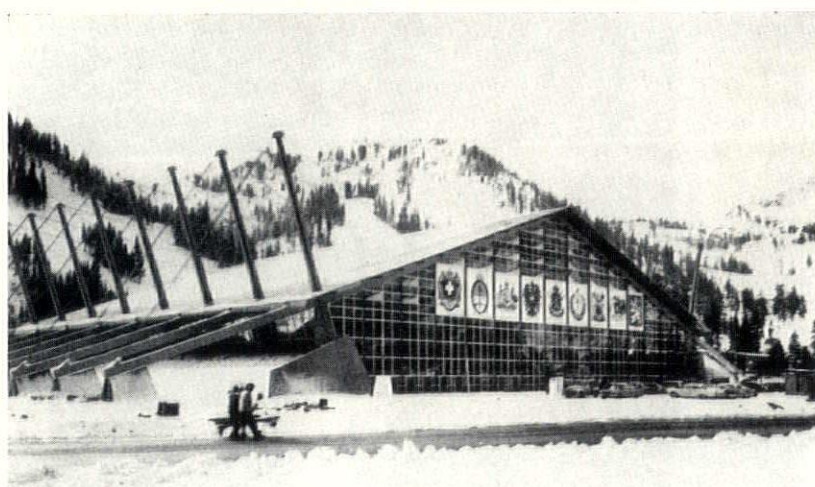
1960 First Honor Awards of the American Institute of Architects

In addition to those structures pictured below, First Honor Awards went to: Robert L. Geddes, Melvin Brecher, and Warren W. Cunningham, partners in the Philadelphia firm of Geddes, Brecher, Qualls for the Moore School of Electrical Engineering at the University of Pennsylvania; and the Long Beach firm of Killingsworth, Brady and Smith for the residence of Mr. and Mrs. Richard Opdahl, Long Beach, California.



Architects: Eero Saarinen and Associates, Birmingham, Michigan. Associate architects: Eng, Qvam and Kiaer. United States Embassy Office Building, Oslo. K. Teigen photo, Oslo.

Architects: Sherwood, Mills and Smith, Stamford, Connecticut. Mutual Insurance Company of Hartford home office building.



Architects: Corlett and Spackman, Kitchen and Hunt, San Francisco. Blyth Olympic Arena, Squaw Valley.



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from page 5

which will provide technical data on projects. It will also serve as a guide to product literature, but will not replace it.

The afternoon of the first day's meeting was an open forum discussion with sundry subjects from dues (ranging from \$35 for Corporate members in one state to \$95 plus additional assessments on employees in another) to referral lists, services of chapter offices, chapter publications and more public relations.

The second day's major topic of discussion was legislation—national and local. The Executive Secretary of the New York Society of Architects outlined that group's legal problems. Much time and expense has been incurred during its fight against the package dealer. Albert Brown of the New Jersey Chapter discussed on the \$20,000 spent by that Chapter in seven months and estimated an additional \$20 to \$25 thousand may be necessary within the next year. The New Jersey Chapter's legal battles are a parallel to the story of the Wisconsin Chapter and the right of any engineer to stamp plans. It was shown that each Chapter has its individual problems but they basically encompassed the same difficulties.

Mr. Purves discussed the roles played by the Institute in matters affecting national legislation, and cited the confidence placed in the AIA by requests of governmental bodies for staff personnel to act as consultants on matters affecting the construction industry.

The final session of the meeting was another general discussion on AIA procedures and policies. The overwhelming consensus by both staff members and visitors was that the two days were extremely worthwhile for all concerned.



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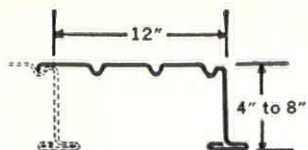
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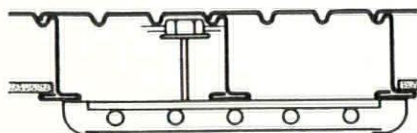
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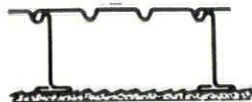


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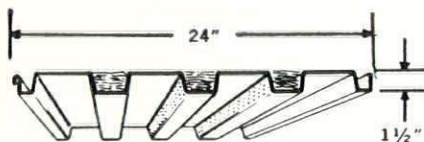
Light Diffuser



Surface-Mounted Fixture

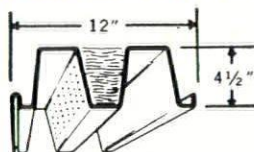


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